

Appl. No. 10/777,290
Amdt. dated October 2, 2007
Reply to Office Action of July 3, 2007

Amendment to the Drawings:

Attached is a replacement sheet for the first sheet of the patent application drawings, which includes Fig. 1. In the replacement sheet, a typographical error has been corrected. In particular, reference number 33 at the top of the original version of Fig. 1 has been corrected to be 34.

REMARKS/ARGUMENTS

In the Non-final Office Action mailed July 3, 2007, claims 1-25 were examined, the abstract of the disclosure was objected to, and claims 1-11, 16, 17, and 20-25 were rejected under 35 U.S.C. § 102(e), as allegedly anticipated by U.S. Patent No. 6,539,101 to Black (“the Black patent”).

Applicants acknowledge with appreciation the allowability of claims 12-15, 18, and 19 if rewritten in independent form to include all of the limitations of the base claims and any intervening claims. Applicants have rewritten claim 19 in independent form including all of the limitations of its base claim, independent claim 1.

Applicants respectfully traverse the rejections to claims 1-11, 16, 17, and 20-25, for the reasons set forth below.

The Objection to the Abstract

On page 2 of the Office Action, the abstract of the disclosure (“the abstract”) was objected to because, as the Examiner stated, “in line 2, e.g., should be deleted.” Applicants have amended the abstract and implemented the Examiner’s recommendations. Accordingly, Applicants respectfully request withdrawal of the objection to the abstract.

The Invention

Before addressing the specific claim limitations, it will be helpful first to briefly summarize the invention of the pending claims. Embodiments of the present invention include a transport system having a housing that includes an exterior surface and an interior surface. The housing includes a compartment inside the housing, and a

door that is attached to the housing and provides access to the compartment. The housing also includes a device for capturing data in electronic form in the compartment, a wireless communications device for communicating data from the device for capturing data to a second device, and a memory for storing the data.

Additional embodiments of the present invention include a transport system having a housing that includes an exterior surface and an interior surface. The housing includes a compartment inside the housing, and a door that is attached to the housing, which provides access to the compartment. The door and compartment cooperate to provide a watertight seal when the door is in a closed position. The housing also includes a device for capturing data in electronic form in the compartment, and a communications device for communicating data from the device for capturing data to a second device.

The Rejection of Claims 1-11, 16, 17, and 20-25 Based on the Black Patent

On pages 2 through 5 of the Office Action, independent claims 1 and 23, and dependent claims 2-11, 16, 17, 20-22, 24, and 25, were rejected under 35 U.S.C. § 102(e), as allegedly anticipated by the Black patent. Applicants respectfully traverse this rejection.

The Black patent discloses a method of identity verification that employs biometric technology. Regarding the Black patent, the Examiner states the following:

Black discloses a transport system, comprising: a housing having an exterior surface and an interior surface, said housing comprising: a compartment inside the housing; and a door attached to the housing, which provides access to the compartment (fig 16, 15, corresponds to housing); a device for capturing data in electronic form in said compartment (fig 15, note, device 15 which is stylus includes one or more sensors 20 that capture biometric

properties of the user); a wireless communication device for communicating data from the device for capturing data to a second device (column 10, lines 41-67); and a memory for storing said data (fig 16).

The Examiner's reliance on the Black patent is misplaced. The Black patent *fails* to teach or suggest "A transport system," much less "A transport system, comprising: a housing . . . comprising: a compartment inside the housing; and a door attached to the housing . . .," as required by independent claims 1 and 23. In contrast to the requirements of independent claims 1 and 23, the Black patent merely teaches a method for identity verification using a stylus having biometric sensors. The Black patent makes *no* mention of a transport system, or a transport system having a housing with a compartment and a door. For this reason, the § 102 rejection of independent claims 1 and 23, and dependent claims 2-11, 16, 17, 20-22, 24, and 25, is improper and should be withdrawn.

Allowable Subject Matter

On pages 5 and 6 of the Office Action, the Examiner indicated that claims 12-15, 18, and 19 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." As discussed above, Applicants believe that independent claim 1 is allowable over the cited reference. Accordingly, Applicants believe that dependent claims 12-15 and 18, which depend from independent claim 1, are allowable, and respectfully request removal of this objection to dependent claims 12-15 and 18. Also, Applicants have amended dependent claim 19 so as to be written in independent form, including all of the limitations of its base claim, independent claim 1. Therefore, Applicants believe amended independent claim 19 to be allowable, and respectfully request removal of this objection.

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Conclusion

This application should now be in condition for a favorable action. Applicant respectfully request entry of the Amendment and an early allowance of all claims herein. If for any reason the Examiner finds the application other than in allowance, the Examiner is requested to call the undersigned attorney at the below telephone number to discuss the steps necessary for placing the application in condition for allowance. If there are any fees due in connection with the filing of this amendment, please charge the fees to our Deposit Account No. 19-2090.

Respectfully submitted,
SHELDON MAK ROSE & ANDERSON PC

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Attachment – Replacement Drawing Sheet for Fig. 1

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